Avoid Discriminatory or Preferential Language in Advertising

By Hannah Holden

In my role as the instructor of Housing Opportunities Made Equal’s Landlord Education classes, I caution landlords to avoid any language in their rental advertisements that might be interpreted as indicating a preference or a limitation in the types of people to whom they will rent. Recently, HOME settled a complaint against landlord Andrew Janicki that demonstrates why landlords should avoid indicating a preference or limitation when advertising their apartments. The Fair Housing Act makes it illegal to make, print, publish, or cause to be made, printed or published any notice, statement or advertisement indicating any preference, limitation or discrimination based on any of the protected classes.

The keyword in the law is “indicates.” Advertisements that indicate a preference about a protected class of fair housing law even without discriminatory intent, are still unlawful. The law looks at the language used in the advertisement, and how the average reader would interpret that language. For example, if an advertisement says “great for students,” and the ordinary reader would read that statement as an implicit preference for singles or young people, then the law views that advertisement as an unlawful attempt to discriminate against families or couples.

In the case of Andrew Janicki, the respondent listed his unit on craigslist as “ideal for a single person (small

A Conversation Starter

By Kenneth Gholston

Members of HOME’s staff from time to time hear accounts from HOME members about the agency’s storied history. One longtime member often says HOME was the place where you could candidly and openly talk about the issues that divide us without judgment. For years staffers have contemplated how to recreate this atmosphere for a new generation of civil rights supporters. Two events in 2012 provided the opportunity to make this happen.

The first event was the opening of HOME’s new offices at the corner of Main and Ferry. Logistically, this gave HOME a more appropriate space to hold events than did HOME’s previous office. More important than that, however, is the symbolism of the new location at the intersection of two historic neighborhoods — bridging Buffalo’s racial divide. That got us thinking about how to turn that metaphorical bridge into a literal one.

The second event was support from the Community Foundation for Greater Buffalo. In providing a grant for HOME’s Greater Buffalo Community Housing Center, the Community Foundation endorsed the idea of two pilot sessions designed to create and sustain discourse about diversity in an effort to establish stronger, more diverse communities. In doing so, we learn from one another and grow in understanding. The events would be called Dialogues on Diversity, and be held by the end of 2012.

The first Dialogue on Diversity was held on October 25th in the Art Butler Conference Room at 1542 Main Street. The topic for discussion was ‘Faces of Diversity: What Does True Diversity Look Like?’ So often, when diversity is discussed it is limited to the dynamics of race and gender. The idea of the conversation was to move beyond the dynamics of race and gender to discuss diversity from the perspective of often seen, but not necessarily heard, minority groups. The panel, moderated by Jessica Lazarin of the Volunteer Lawyers Project, included representatives and advocates from a variety of backgrounds. They included William Berry (Elderly Perspective), Christine Farrow (Disabled Perspective), Gabriel Shalamba (Immigrant Perspective), Collin Gehl (LGBT Perspective) and

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From the Director:

HOW DIVERSITY WORKS

By Scott W. Gehl

With support from the Community Foundation for Greater Buffalo, this fall HOME inaugurated a series of public conversations entitled “Dialogues on Diversity.” The inspiration for this series came from former Board Chair George M. Hezel, who a quarter century later still recalled the frank and sometimes heated discussions which regularly occurred at HOME Board meetings about issues which have long divided us.

The first installment, moderated on October 25th by immigration attorney Jessica Lazarin, was entitled “Faces of Diversity – Beyond Race” and included approaches to diversity from the socio-economic, GLBT, elderly, disabled, and immigrant perspectives. Panelists included Ken Gholston, Collin Gehl, Bill Berry, Christine Farrow and Gabriel Shalamba.

The second session on November 15th was moderated by UB sociologist Ellen Berrey and focused on “Diversity in Public Spaces.” Rod Watson, Amber Dixon, Linwood Roberts, and Jonathan Rivera spoke about diversity in the media, education, higher education and business.

During the latter session, Professor Berrey asked for examples of when diversity has worked. I thought immediately of HOME.

Although there are only a dozen HOMERS on staff, we are a remarkably diverse group. Because we look like Western New York, clients feel comfortable in turning to us for help. The perspectives of our various racial and ethnic backgrounds are essential to peeling away the layers of complexity often involved in understanding our clients’ problems.

Just as helpful are the various academic disciplines represented (including sociology, business, psychology, history, political science, social work, law and mental health) which provide prisms through which to view and analyze problems in order to strategize about responses.

Finally, there are simply times when the regular resources of HOME are not enough to solve the problems of some clients. In those instances, we are able to call on the personal networks of staff members and board volunteers—to meet the needs of individual clients and to carry on the systemic battle for fair housing.

They say “two heads are better than one.” I would contend the basis for this statement lies not in increased brainpower, but rather in the power of diversity.

A remarkable event

While honored to receive an invitation to a birthday party for a HOME alum, the prospect of traveling 2600 miles seemed to dictate a gracious declination. However, this event was to mark a 100th birthday—and it was for not just any person, but for Mamie Crawford.

Mamie & Jim Crawford had joined our fledgling civil rights organization in 1963, when one of their friends encountered discrimination. Jim, a carpenter at Veterans Hospital, was elected to serve on HOME’s Board. Mamie owned and managed a successful hair salon on East Ferry Street not far from where HOME would later open its first real office.

Together, Mamie & Jim were an unstoppable combination—recruiting members to the cause of fair housing.

When Jim finally “retired” from the Board of Directors in 1986, his colleagues set out to preserve his example of selfless dedication by creating the James Crawford Award for Service to HOME, which remains our highest honor.

Long after retirement, Mamie & Jim continued to support HOME. Each annual meeting was attended by 50 or 60 of their friends. When Jim passed, Mamie moved to Bradenton, Florida to be close to her younger sister, Marion who (at age 94) orchestrated the birthday celebration.

HOME staff members Margaret Brown and DeAnna Eason helped me put together a book of remembrance for Mamie, with photos of old friends and expressions of affection from many who have been honored to receive the Crawford Award over the last 25 years.

The book also had photos of HOME’s offices: 72 North Parade (in the Friends Meeting House), 1490 Jefferson, 700 Main, and finally 1542 Main at Ferry—built on the foundation that Mamie & Jim had laid for us.

Going through the book with Mamie, she called out by name the people pictured and was so excited to see the photograph of the first permanent Home for HOME. Mamie told me she would keep that photo at hand—until she arrived to see HOME’s new home for herself.

In that moment I understood the energy and optimism that had enabled this remarkable lady to reach the age of 100. And I look forward to her visit.
Paula dropped out of high school many years ago to take on the new role of mother. Responsibilities and family overshadowed the career dreams that Paula once had for herself. After raising her own daughter, Paula found herself raising her granddaughter—alone. She was living in a one bedroom apartment on the West Side of Buffalo, complete with a rat problem and no working plumbing. She was truly unhappy but didn’t know how to get herself out of her desperate situation. She couldn’t find a job that would earn her enough money to cover her bills and rent. She feared for the safety of her granddaughter, Zoe, in such deplorable conditions.

Then Paula saw a ray of hope. She received a call notifying her that she had finally made it to the top of the Section 8 voucher waiting list. Paula got her voucher and called HOME. Through the help of HOME’s Community Housing Center, Paula received one-on-one counseling, housing search assistance, and help paying a security deposit. She was able to find a safe and secure apartment in the Village of Blasdell, NY. She was ecstatic that the apartment had a security system and was located on a bus route. But Paula wasn’t finished making her life better. She decided to take advantage of the full array of services offered by HOME and joined the Greater Opportunities (GO) Case Management Program.

Paula met with HOME’s case manager who helped her to establish some short-term life goals. Together they carefully constructed a strategy towards achieving her goals. HOME’s case manager visited Paula in her home and Paula quickly made progress. Linked with an adult education program, Paula earned her GED. Paula then found an enjoyable job near her new home. She put her granddaughter into daycare and began working with the CASH Coalition to repair her credit.

Paula is finally living the dream that she had so many years ago—thanks to her own determination and the support she received from Housing Opportunities Made Equal.
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bedrooms)” even though the apartment was a two bedroom unit. When HOME’s Fair Housing Unit observed Mr. Janicki’s advertisement, we were concerned by the stated preference for a single person, so we sent testers out to determine if discrimination was involved. According to sworn affidavits, our testers were indeed asked impermissible questions about their familial status, and the tester with children was even quoted a higher rental rate than the tester without children.

HOME filed a complaint with the U.S. Department of Housing and Urban Development, which was referred to the New York State Division of Human Rights. Eventually, the parties agreed to settled the case for damages and a requirement that Mr. Janicki attend a session of HOME’s Landlord Education.

The most important principle to use when crafting advertisements related to rental apartments is to describe the unit that is for rent, rather than the desired tenant. By describing the unit itself (i.e., 2 bedroom upper with great light, adjacent to University metro station, large dining room, etc) rather than the renter preferred (great for students, perfect for professionals, etc) landlords can avoid expressing a preference, limitation, or discriminatory intent. They can also avoid an allegation of discrimination.

A CONVERSATION STARTER
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Kenneth Gholston (Socio-Economic Perspective). One of the overarching themes of the evening was the need for communication, which creates greater understanding. Another theme was that we must promote the value of diversity in our communities by “walking the walk;” by encouraging diversity in our workplaces, neighborhoods and public spaces.

Ironically, diversity in public spaces was the topic of the second Dialogues on Diversity session, held November 15th in the Art Butler Conference Room. Moderated by Dr. Ellen Berrey of University at Buffalo’ Sociology Department, the panel featured a distinguished lineup of community leaders including Rod Watson, Amber Dixon, Linwood Roberts and Jonathan Rivera. While the first session was centered on questions for the panelists, this discussion was a true give-and-take between the panelists and the audience. Audience members challenged everyone in the room to take the words that were spoken that evening and turn them into action.

That is exactly what HOME plans to do. If you were unable to attend either of the Dialogues sessions, watch for clips of the sessions to appear online soon. The series itself will continue in the new year, as HOME looks to re-establish its historic position in the community as a place where we can talk about anything, at any time, without judgment.
New Staff Join HOME

HOME is happy to introduce several new members of our staff. HOME bookkeeper, James Dahlberg, has an extended relationship with HOME, as he and his wife Debbie have been long-time HOME members and supporters. Jim and Debbie owned the William Seward Inn in Westfield for 17 years, but sold it and “retired” in 2008. At that point, Jim tells us that he read books for a year, to make up for the years during which he was working too hard running the Inn to be able to read! Jim acquired his bookkeeping skills both at the Inn, and in his previous career at M&T. Prior to owning the Inn, Jim worked for 30 years at M&T Bank, beginning as a teller and retiring as a Vice President. Jim holds a BS in Business from the State University of New York at Buffalo. He and Debbie live in Buffalo with their cat, Miss Kitty.

Deborah Pleskow, the part-time Property Manager for HOME’s new Oxford Commons apartments, brings years of property management experience to her new role. She is also the manager of Trinity Tower, an 83 unit apartment complex for seniors age 62 and older. Not only does Debbie possess in-depth knowledge of the complex rules and regulations which govern developments such as Oxford Commons, she also brings the ability to relate to people and to engage in the communication which she believes is key to successful property management. Debbie holds a Bachelor’s degree from the State University of New York at Buffalo, and she has done post graduate work in non-profit management at Medaille College. Although she is bothered that in 2012 Western New York still has to deal with issues of housing discrimination, Debbie is proud to be a part of an organization that “sticks its neck out” and works to eliminate it. She is also proud of her grown daughter, whom she raised to fight for what she believes in.

Collin Gehl, HOME’s Donor Management Consultant, joined our staff as a former volunteer and member of the HOME Membership Committee. Collin brings extensive experience in not for profit development and management, having worked for many years at the Buffalo Museum of Science and the Buffalo and Erie County Historical Society. Collin’s role as Donor Management Consultant began with a project to create and assess a donor database. As part of that process Collin recommended the acquisition of Raiser’s Edge as HOME’s donor management software and is now overseeing its implementation. He has a Bachelor’s degree in English from the State University of New York at Buffalo and a Master’s degree in Organizational Leadership from Medaille College. Collin, who lives in Buffalo with his cat Gobee, was a principal of the Queen City Experience podcast, past episodes of which can be heard at www.queencityexperience.com. He enjoys being active and walking through his lovely Elmwood Village neighborhood.

Please join HOME for their . . .

Third “Dialogues on Diversity” Event

Thursday, February 21, 2013

at 6:00 pm

The evening will feature “The Line,” a short documentary which presents the stories of Americans across the country living at or below the poverty line. After a viewing of the film, there will be a facilitated discussion on issues of poverty in our community.
Anniversary Gala? Annual Meeting? Which is it? Both!

As many Insight readers know, 2013 will mark Housing Opportunities Made Equal’s fiftieth anniversary as Western New York’s fair housing agency. The Annual Meeting Planning committee has been working diligently since August to organize an appropriate celebration for this milestone. One of the first challenges facing the committee was how to balance the business needs required of the annual meeting with the celebration befitting a milestone anniversary. The committee agreed that we didn’t want to give short shrift to the important business aspects of our annual gathering, nor did we want to have business get in the way of a great party! Therefore, we decided to hold the annual meeting and the anniversary celebration as two separate events!

HOME’s 50th Anniversary Gala will take place on Friday, April 26th at the Buffalo Convention Center. The theme for the Gala is “Building on the Legacy.” The semi-formal event will feature the Old School B-Boys as musical entertainment, a cash bar, and a sit down dinner. The evening will feature basket raffles, a silent auction, and a live auction conducted by Cash Realty. More details will be forthcoming as the date of the event approaches.

HOME’s Annual Meeting will take place before HOME’s April 2013 Board meeting on Thursday, April 11, 2013. Light refreshments will be served, and all interested HOME members are warmly encouraged to attend! Additional details will be forthcoming.

The members of the Annual Meeting Planning committee are Leslie Curtin, Shannon Koehn, Mary Jane Zak, Collin Gehl, Bernadette Harlan, Jennifer Metzger Kimura, Don Licht, Hannah Holden, Margaret Brown, and Chair Samuel Loliger. If you have any suggestions for how to make our 50th Anniversary Gala special, please be in touch with a member of the committee as we welcome your input.

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